



03-26-01 #4

GP/3721

EXPRESS MAIL CERTIFICATE

Date 3/23/01 Label No. EL 853597644-US

I hereby certify that, on the date indicated above, this paper or fee was deposited with the U.S. Postal Service and that it was addressed for delivery to the Assistant Commissioner for Patents, Washington, DC 20231 by "Express Mail Post Office to Addressee" service.

S. Davis
Name (Print)

D. Davis
Signature

PLEASE CHARGE ANY DEFICIENCY UP TO \$300.00
OR CREDIT ANY EXCESS IN FUTURE FEES DUE
WITH RESPECT TO THIS APPLICATION TO OUR
DEPOSIT ACCOUNT NO. 04-0100

File No. 2640/0H058

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Eitan T. WIENER et al.

Serial No.: 09/693,621

Group Art Unit: 13721

Filed: October 20, 2000

Examiner: not yet assigned

For: ULTRASONIC SURGICAL SYSTEM



March 23, 2001

Assistant Commissioner for Patents
Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT

Sir:

In order to comply with discretionary regulations 37 C.F.R. 1.97 and 1.98, attached hereto is a copy of Form PTO-1449 and copies¹ of the documents listed thereon. These documents contain information which the Examiner may consider to be important in deciding whether to allow the present application to issue a patent.

¹ To the extent that a listed document is listed and no copy of same is attached, then such document is not at the present time available to the undersigned or is availing in the file of a parent application. If a listed document is not in the English language and an English translation is readily available, such translation is also enclosed and attached to the copy of the document. If a translation is not attached, it is not readily available to the undersigned. If a foreign language patent document is cited, and an English language equivalent is known to the undersigned, then the English equivalent patent is also listed on the enclosed form along with the corresponding foreign language patent and a connecting arrow indicates the relationship between them. If no such English language equivalent is cited, then none is known to the undersigned.

In accordance with M.P.E.P. Sections 609 and 707.05(b), it is requested that each document cited (including any cited in applicant's specification which is not repeated on the attached Form PTO-1449) be given thorough consideration and that it be cited of record in the prosecution history of the present application by initialing Form PTO-1449 next to the document. Such initialing is requested even if the Examiner does not consider a cited document to be sufficiently pertinent to use in a rejection, or otherwise does not consider it to be prior art for any reason, or even if the Examiner does not believe that the guidelines for citation have been fully complied with. This is requested so that each document becomes listed on the face of the patent issuing on the present application.

The present Information Disclosure Statement is being submitted in compliance with 37 C.F.R. 1.56, but the citation of such document is not to be construed as an admission that such document is necessarily relevant or prior art. No representation is intended that the cited documents represent the results of a complete search, and it is anticipated that the Examiner, in the normal course of examination, will make an independent search and will determine the best prior art consistent with 37 C.F.R. 1.104(a) and 1.106(b) and, in the course of each search, will review for relevance every document cited on the attached form even if not initialed.

Early and favorable consideration is earnestly solicited.

This Information Disclosure Statement and attached documents are filed² pursuant to 37 C.F.R. § 1.97,

☒ Para. (b) - NO FEE IS REQUIRED.

☐ Para. (c) - Enclosed is:

²37 C.F.R. § 1.97, Para. (b), the Information Disclosure Statement is filed:

- (1) within three months of the filing date of a national application, or
- (2) within three months of the date of entry of the national stage in an international application, or
- (3) before the mailing date of a first Office Action on the merits, whichever occurs last;

Para. (c), the Information Disclosure Statement is filed after the time period in Para. (b) but before the mailing date of:

- (1) a Final Office Action, or
- (2) a Notice of Allowance, whichever occurs first;

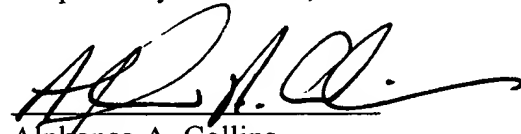
Para. (d), the Information Disclosure Statement is filed after the time period in Para. (c) but is filed on or before payment of the issue fee.

- ☐ A Certification as specified in 37 C.F.R. § 1.97(e), pursuant to 37 C.F.R. § 1.97(c); OR
- ☐ A fee as set forth in 37 C.F.R. § 1.17(p), pursuant to 37 C.F.R. § 1.97(c).
- ☐ Para. (d) - Enclosed are:
- ☐ A Certification as specified in 37 C.F.R. § 1.97(e), pursuant to 37 C.F.R. § 1.97(d)(1);
- ☐ A Petition pursuant to 37 C.F.R. § 1.97(d)(2);
- AND
- ☐ A fee as set forth in 37 C.F.R. § 1.17(i), pursuant to 37 C.F.R. § 1.97(d)(3).

If a fee is due pursuant to 37 C.F.R. § 1.97, Para. (c)
(\$ 180.00)³ or Para. (d) (\$ 130.00)³ as indicated above:

- ☐ A check in the amount of \$180.00 is attached;
- ☐ Please charge the fee to Deposit Account No.
04-0100.
- ☒ Please charge any additional fees up to \$500.00 or credit overpayment to Deposit
Account No. 04-0100.

Respectfully submitted,



Alphonso A. Collins
Registration No. 43,559
Attorney for Applicant(s)

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805 Third Avenue
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³Fees as of November 10, 1998.



FORM PTO-1449

U.S. DEPARTMENT OF COMMERCE PATENT & TRADEMARK OFFICE

SHEET 1 OF 1
(REV. 7-80)**LIST OF REFERENCES CITED BY APPLICANT**

(Use Several Sheets if Necessary)

DOCKET NO.: 2640/0H058 SERIAL NO: 09/693,621
APPLICANT: Eitan T. WIENER et al. FILING DATE: October 20, 2000
CONFIRMATION NO:

U.S. PATENT DOCUMENTS

<u>*EXAMINER INITIALS</u>	<u>DOCUMENT NUMBER</u>	<u>DATE</u>	<u>NAME</u>	<u>CLASS</u>	<u>SUBCLASS</u>	<u>FILING DATE</u>
	1. 2,917,691	12/15/59	DePrisco et al.	318	118	07/10/56
	2. 5,001,649	03/19/91	Lo et al.	364	484	09/16/88
	3. 5,026,387	06/25/91	Thomas	606	169	03/12/90
	4. 5,112,300	05/12/92	Ureche	604	22	04/03/90
	5. 5,180,363	01/19/93	Idemoto et al.	202	32	12/23/91
	6. 5,400,267	03/21/95	Denen et al.	364	552	12/08/92
	7. 5,425,704	06/20/95	Sakurai et al.	604	22	06/09/92
	8. 5,449,370	09/12/95	Vaitekunas	606	169	05/12/93
	9. 5,630,420	05/20/97	Vaitekunas	128	662.03	09/29/95
	10. 5,707,369	01/13/98	Vaitekunas et al.	606	31	04/24/95
	11. 5,879,364	03/09/99	Bromfield et al.	606	169	09/30/97
	12. 5,968,007	10/19/99	Simon et al.	604	22	05/01/97
	13. 6,090,123	07/18/00	Culp et al.	606	180	02/12/99
	14. 6,017,354	01/25/00	Culp et al.	606	170	08/15/96
	15. 6,019,775	02/01/00	Sakurai	606	169	06/23/98
	16. 6,066,135	05/23/00	Honda	606	39	09/22/98

FOREIGN PATENT DOCUMENTS

<u>*EXAMINER INITIALS</u>	<u>DOCUMENT NUMBER</u>	<u>DATE</u>	<u>COUNTRY</u>	<u>CLASS</u>	<u>SUBCLASS</u>	<u>TRANSLATION YES NO</u>
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EXAMINER: _____ DATE CONSIDERED: _____

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



Return of this card properly stamped, will acknowledge receipt of:
an Information Disclosure Statement, PTO-1449 form and 16
references.

Applicant : Eitan T. WIENER et al.
Title : ULTRASONIC SURGICAL SYSTEM
Serial No. : 09/693,621
Filed : October 20, 2000
Attorney : AAC:sw
File No. : 2640/0H058

Mailed: - 3/23/01 Mailer: A.O

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